IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

TUESDAY, THE 31ST JULY 2007 / 9TH SRAVANA 1929

WP(C).No. 7499 of 2004(P)

AGAINST THE ORDER DATED 28/02/2003 IN IA.NO.117/2003 IN OS.27/2003 of PRL.MUNSIFF COURT, PALAKKAD

PETITIONER:

THE EXECUTIVE ENGINEER, KERALA WATER AUTHORITY, OFFICE OF THE EXECUTIVE ENGINEER P.H. DIVISION, KALAMANDAPAM, PALAKKAD.

BY ADV. SRI.M.V.MATHAI MUTHIRENTHY, SC, KWA
SRI.C.RASHEED, SC, KWA
SMT.AMBIKA DEVI, SC, KWA

RESPONDENTS:

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1. SATYANARAYANA. M., AGED 63 YEARS
S/O. N. SIVASANKARAN NAIR, SINDHU COOL BAR, COURT ROAD, PALAKKAD.

2. K. SUNIL, AGED 29 YEARS,
S/O. SATHYANARAYANAN, SINDHU COOL BAR, COURT ROAD, PALAKKAD.

3. STATE OF KERALA, REP. BY DISTRICT COLLECTOR, PALAKKAD.

BY ADV. SRI.SAJAN VARGHEESE K.
SRI.LIJU. M.P

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 31/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

PIUS C.KURIAKOSE,J

W.P.(C)NO.7499 of 2004

Dated this the 31st day of July, 2007

JUDGMENT

It is pointed out by Mr.Sajan Varghese, the learned counsel appearing for R1 and R2 that the suit O.S.27/2003 has been tried and disposed of by the learned Munsiff, Palakkad and that no appeal has so far been preferred against the judgment and decree. Smt.Ambika Devi, Standing Counsel for the Water Authority seeks time to get instructions in the matter. I accept the submissions of Mr.Sajan Varghese that the suit has already been disposed of, and dispose of the writ petition permitting the petitioner to urge the grounds raised in this writ petition against Exts.P1 and P2 in the appeal which may be preferred by the petitioner against the judgment and decree.

PIUS C.KURIAKOSE,
JUDGE

CSS